

600 SOUTH AVENUE WEST • WESTFIELD, NEW JERSEY 07090
908.654.5000 • FAX 908.654.7866 • WWW.LDLKM.COM

PATENTS, TRADEMARKS, COPYRIGHTS & UNFAIR COMPETITION

October 25, 2005

Commissioner For Patents
Office of Initial Patent Examination
Customer Service Center
P.O. Box 1450
Alexandria, VA 22313-1450

Re: Our File: IC&M 3.3-001
Appln. No. 10/506,849
Filing Date: June 22, 2005
Group Art Unit: 2862

Dear Sir:

We are enclosing herewith copies of the filing receipt, executed Declaration and Application Data Sheet for the above-identified patent application.

On the filing receipt, please delete the information currently listed under the section entitled "*Foreign Applications*." This section should remain blank.

Further, enclosed is a copy of a Notice of Acceptance of Application Under 35 U.S.C. 371 and 37 CFR 1.495. Please change the "*Date of Completion of All 35 U.S.C. 371 Requirements*" to read --06/22/2005--, not "09/09/2005." Also, please change the "*Priority Date*" to read --07/21/2004--, not "03/09/2003."

Kindly issue a corrected filing receipt for the above-identified application as soon as possible.

Sincerely yours,

LERNER, DAVID, LITTENBERG,
KRUMHOLZ & MENTLIK, LLP

ARNOLD H. KRUMHOLZ
Reg. No. 25,428

AHK/l
Enclosures

**BEST AVAILABLE COPY**

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

| | | |
|-----------------------------|-----------------------|------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/506,849 | Fabrice Malard | IC&M 3.3-001 |

| |
|-------------------------------|
| INTERNATIONAL APPLICATION NO. |
|-------------------------------|

PCT/EP04/09152

| | |
|------------------|---------------|
| I.A. FILING DATE | PRIORITY DATE |
| 07/21/2004 | 03/09/2003 |

000530
 LERNER, DAVID, LITTENBERG,
 KRUMHOLZ & MENTLIK
 600 SOUTH AVENUE WEST
 WESTFIELD, NJ 07090

CONFIRMATION NO. 4658

371 ACCEPTANCE LETTER



OC000000016990011

Date Mailed: 09/19/2005

NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C 371 AND 37 CFR 1.495

The applicant is hereby advised that the United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495), has determined that the above identified international application has met the requirements of 35 U.S.C. 371, and is **ACCEPTED** for national patentability examination in the United States Patent and Trademark Office.

The United States Application Number assigned to the application is shown above and the relevant dates are:

06/22/200509/09/2005

DATE OF RECEIPT OF 35 U.S.C. 371(c)(1), (c)(2) and
 (c)(4) REQUIREMENTS

DATE OF COMPLETION OF ALL 35 U.S.C. 371
 REQUIREMENTS

A Filing Receipt (PTO-103X) will be issued for the present application in due course. **THE DATE APPEARING ON THE FILING RECEIPT AS THE " FILING DATE" IS THE DATE ON WHICH THE LAST OF THE 35 U.S.C. 371 (c)(1), (c)(2) and (c)(4) REQUIREMENTS HAS BEEN RECEIVED IN THE OFFICE. THIS DATE IS SHOWN ABOVE.** The filing date of the above identified application is the international filing date of the international application (Article 11(3) and 35 U.S.C. 363). Once the Filing Receipt has been received, send all correspondence to the Group Art Unit designated thereon.

The following items have been received:

- Copy of the International Application filed on 09/03/2004
- Copy of the International Search Report filed on 09/03/2004
- Information Disclosure Statements filed on 06/22/2005
- Oath or Declaration filed on 06/22/2005
- U.S. Basic National Fees filed on 09/03/2004

LDLK&M

SEP 26 2005

RECEIVED

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

BEST AVAILABLE COPY

DARRELL C COTTMAN

Telephone: (703) 308-9140 EXT 203

PART 1 - ATTORNEY/APPLICANT COPY

FORM PCT/DO/EO/903 (371 Acceptance Notice)

BEST AVAILABLE COPY



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

| APPL NO. | FILING OR 371 (c) DATE | ART UNIT | FIL FEE REC'D | ATTY. DOCKET NO | DRAWINGS | TOT CLMS | IND CLMS |
|------------|---------------------------|----------|---------------|-----------------|----------|----------|----------|
| 10/506,849 | 06/22/2005 | 2862 | 1754 | IC&M 3.3-001 | 29 | 28 | 1 |

CONFIRMATION NO. 4658

000530
 LERNER, DAVID, LITTENBERG,
 KRUMHOLZ & MENTLIK
 600 SOUTH AVENUE WEST
 WESTFIELD, NJ 07090

FILING RECEIPT



OC000000016990010

Date Mailed: 09/19/2005

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Fabrice Malard, Boulogne, FRANCE;

Power of Attorney: The patent practitioners associated with Customer Number 000530.

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/EP04/09152 07/21/2004

Foreign Applications

EUROPEAN PATENT OFFICE (EPO) 1 341 005 03/09/2003

Projected Publication Date: 12/22/2005

Non-Publication Request: No

Early Publication Request: No

Title

Combination tool for aligning, measuring distances and sensing objects under a surface

LDL K&M

SEP 26 2005

RECEIVED

Preliminary Class

324

BEST AVAILABLE COPY**PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES**

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject

BEST AVAILABLE COPY

matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



Application Data Sheet

BEST AVAILABLE COPY

Application Information

| | |
|----------------------------------|--|
| Application Type:: | Regular |
| Subject Matter:: | Utility |
| Suggested Group Art Unit:: | N/A |
| CD-ROM or CD-R?:: | None |
| Sequence submission?:: | None |
| Computer Readable Form (CRF)?:: | No |
| Title:: | COMBINATION TOOL FOR ALIGNING, MEASURING DISTANCES AND SENSING OBJECTS UNDER A SURFACE |
| Attorney Docket Number:: | IC&M 3.3-001 |
| Request for Early Publication?:: | No |
| Request for Non-Publication?:: | No |
| Suggested Drawing Figure:: | 1 |
| Total Drawing Sheets:: | 29 |
| Small Entity?:: | No |
| Petition included?:: | No |
| Secrecy Order in Parent Appl.?:: | No |

Applicant Information

| | |
|-------------------------------|---------------|
| Applicant Authority Type:: | Inventor |
| Primary Citizenship Country:: | France |
| Status:: | Full Capacity |
| Given Name:: | Fabrice |
| Family Name:: | Malard |
| City of Residence:: | Boulogne |
| Country of Residence:: | France |
| Street of mailing address:: | 6 rue d'Issy |
| City of mailing address:: | Boulogne |
| Country of mailing address:: | France |

BEST AVAILABLE COPY

Postal or Zip Code of mailing address:: F-92100

Correspondence Information

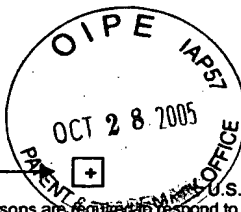
Correspondence Customer Number:: 000530

Domestic Priority Information

| | | | |
|------------------|-------------------|----------------------|----------------------|
| Application:: | Continuity Type:: | Parent Application:: | Parent Filing Date:: |
| This Application | National Stage of | PCT/EP2004/009152 | 07/21/04 |

Assignee Information

Assignee name:: iConcepts & Marketing
Street of mailing address:: 79 avenue Edouard Vaillant - Bât D
City of mailing address:: 92100 Boulogne-Billancourt Cedex
Country of mailing address:: France



BEST AVAILABLE COPY

Please type a plus sign (+) inside this box

+

PTO/SB/01 (03-01)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

**DECLARATION FOR UTILITY OR
DESIGN
PATENT APPLICATION
(37 CFR 1.63)**

☐ Declaration
Submitted
with Initial
Filing

OR

☒ Declaration
Submitted after Initial
Filing (surcharge
(37 CFR 1.16 (e))
required)

Attorney Docket Number

IC&M 3.3-001

First Named Inventor

Fabrice Malard

COMPLETE IF KNOWN

Application Number

10/506,849

Filing Date

September 3, 2004

Group Art Unit

N/A

Examiner Name

Not Yet Assigned

As a below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original and first inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

COMBINATION TOOL FOR ALIGNING, MEASURING DISTANCES AND SENSING OBJECTS
UNDER A SURFACE

(Title of the Invention)

the specification of which

☐

is attached hereto

OR

☒

was filed on (MM/DD/YYYY)

07/21/2004

as United States Application Number or PCT International

Application No.

PCT/EP2004/009152

and was amended on (MM/DD/YYYY)

(if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365 (a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or of any PCT international application having a filing date before that of the application on which priority is claimed.

| Prior Foreign Application Number(s) | Country | Foreign Filing Date (MM/DD/YYYY) | Priority Not Claimed | Certified Copy Attached? | |
|---|---------|-------------------------------------|--------------------------|--------------------------|--------------------------|
| | | | | YES | NO |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

☐

Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

BEST AVAILABLE COPY

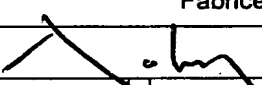
Please type a plus sign (+) inside this box ☒

PTO/SB/01 (03-01)
Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

DECLARATION — Utility or Design Patent Application

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Customer Number 000530

| | | | | | |
|---|--|---|------------------------|---|--|
| Direct all correspondence to: | | <input checked="" type="checkbox"/> Customer Number or Bar Code Label | 000530 | | OR <input type="checkbox"/> Correspondence address below |
| Name | | | | | |
| Address | | | | | |
| City | | State | | ZIP | |
| Country | | Telephone | | Fax | |
| I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. | | | | | |
| NAME OF SOLE OR FIRST INVENTOR: | | | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle [if any]) | | | Family Name or Surname | | |
| Fabrice | | | Malard | | |
| Inventor's Signature | | | Date | | |
|  | | | January 28, 2005 | | |
| Residence: City | | State | | Country | |
| Boulogne | | | | France | |
| Mailing Address: | | 6 rue d'Issy | | | |
| City | | State | | Country | |
| Boulogne | | | | France | |
| ZIP | | F-92100 | | | |
| NAME OF SECOND INVENTOR: | | | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | |
| Given Name (first and middle [if any]) | | | Family Name or Surname | | |
| Inventor's Signature | | | Date | | |
| Residence: City | | | State | | Citizenship |
| Mailing Address: | | | | | |
| City | | State | | Country | |
| | | | | | |
| <input type="checkbox"/> Additional inventors are being named on the _____ supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto. | | | | | |

LD-537A